IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 21216 of 2004

Between:

1 R. Meenamma, W/o. R. Mallaiah,
R/o. Burahan Miyz Pet, Eligedu Mandal, Karimnagar District.
2 R. Laxmi, W/o. r. Kondaiah,
R/o. Burahan Miyz Pet, Eligedu Mandal,
karimnagar District.

..... PETITIONERS

AND

1 The Mandal Revenue Officder, Eligedu Mandal, Karimnagar District.
2 The Revenue Divisional Officer, Peddapalli, Karimnagar District.
3 The District Collector, karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order of the Respondent No.1 in trying to dispossess the petitioners from their land admeasuring Ac.1.00 and Ac.0.39 guntas respectively in Sy.No.237 situated at Burahan Miya pet, Eligedu Mandal, Karimnagar District, as arbitrary, illegal, violative of Article 14, 21 & 300A of Constitution of India and consequently direct the Respondent authorities not to evict the petitioners from their lands.

Counsel for the Petitioners:MR.A.SUDERSHAN REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

Heard the learned counsel for the petitioners and learned Government Pleader for Revenue. Both the counsel requested for disposal of the writ petition at the stage of admission.

The main grievance of the petitioners is that the respondents are trying to dispossess the petitioners from their land admeasuring Ac.1.00 and Ac.0.39 guntas respectively in Sy.No.237 situated at Burahan Miyapet, Eligedu Mandal, Karimnagar District.

Once assignment is made in favour of the petitioners as per the relevant provisions, the respondent-authorities under law, cannot be presumed that they will not follow the due procedure either for their eviction, if any, or for cancellation of the assignment made in their favour. The apprehension that some third parties, with a view to dispossess the petitioners from the land in question, are trying to influence the respondents and the respondents without following the due procedure may evict the petitioners, cannot be a ground for entertaining the writ petition. Since the respondents are bound to follow the procedure as contemplated under law, there is no cause of action to entertain the writ petition.

The writ petition is accordingly dismissed. No costs.

_____

A. GOPAL REDDY. J.

19th November, 2004

tsr.

To

1 The Mandal Revenue Officder, Eligedu Mandal, Karimnagar District.
2 The Revenue Divisional Officer, Peddapalli, Karimnagar District.
3 The District Collector, karimnagar District.

4. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

5. Two C.D. copies.